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21 June 1952

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MEMORANDUM FOR: Colonel L. K. White

This is a paper from O&M, concurred in by Mr. Houston, on the establishment of a Board of Contract Appeals. Although I am sure Jim Garrison wants this, I see no evidence that he has had a chance to comment on it, and I have, therefore, made up a routing slip sending it to him for comment.

Two or three questions occurred to me about it, and I have discussed them with [] who is thoroughly familiar with the paper. There is no indication that the contracts referred to are restricted to procurement and construction contracts, and I wondered whether it was intended that Personal Service Contracts be subject to this procedure. [] feels that there is nothing in the language which would prevent such action but also feels that there would be no cause for a Personal Service Contract to be appealed in such a manner. I then asked whether a statement should be included excluding them from the regulation, [] thought not.

[] and I agreed, however, that the recommended membership for the Board was ill advised, in that although the regulation provides that membership should be chosen on the basis of personal experience and competence, the Auditor should not be a member, in that the contractor, in presenting his appeal, might well take exception to having a man sit on the Board who might very well have been the one who took exception in the first place, i.e. []. On the same ground, but less serious, I also questioned having the Inspector General on the Board, in that he too might, upon occasion, be the individual who had taken exception.

I am sure that you or Mr. Wolf could select more appropriate membership. I would recommend that Mr. Peel be substituted for [] and perhaps someone like [] instead of Mr. Heiden.

RSW:jeb

Note on route slip: You may have already had an opportunity to take part in writing this draft, but it is not indicated in the attached papers.

LKW